

REMARKS

With this amendment, Applicants add claims 67-70. Claims 1-5 and 7-70 are all the claims pending in the application.

I. Formalities

Applicants thank the Examiner for acknowledging receipt of the RCE filed on December 25, 2006 and for confirming that the Amendment filed on November 25, 2005 has been entered.

II. Claim Rejections - 35 USC § 102

The Examiner has rejected claims 41, 42, 48, 50, 63 and 64 under 35 U.S.C. § 102(b) as being anticipated by Ohishi *et al.* (US 5,742,341) [“Ohishi”]. For at least the following reasons, Applicants traverse the rejection.

Claim 41, as amended, recites a capturing apparatus that comprises “a switch unit ... being inclined together with [a] display part and [a] plurality of switches with respect to a plane of [a] body face, when at least one of the plurality of switches is pressed to function.”

Applicant submits that Ohishi merely discloses an apparatus having a display which can be inclined and switches that are located beside the display. Therefore, Applicants submit that Ohishi does not disclose or suggest the claimed switch unit being inclined together with a display part and a plurality of switches when one of the plurality of switches is pressed to function as set forth in claim 41.

Because claim 42 recites language analogous to that given above with respect to claim 41, Applicants submit that claim 42 is patentable for at least reasons similar to those given above with respect to claim 41.

Applicants submit that claims 48, 50, 63 and 64 are patentable at least by virtue of their respective dependencies.

The Examiner has rejected of claims 52, 53, 55, 56 and 65 under 35 U.S.C. § 102(e) as being anticipated by Anderson (US 6,154,210) [“Anderson”]. For at least the following reasons, Applicants traverse the rejection.

Claim 52, as amended, recites a capturing apparatus that comprises “a first display unit ... [and] a second display unit disposed separately from the first display unit on a different place on the capturing apparatus than the first display unit ...[and means for] incorporating at least a part of said first displayed information, including said functions, into said second display unit, said first displayed information being changed in accordance with a change of the operation mode of the capturing apparatus...”

Applicants submit that the Examiner concedes that the “Softkey Label Area,” the alleged second display unit, physically incorporates the “Application Graphics Area,” the alleged first display unit. Therefore, Applicants submit that Anderson fails to disclose or suggest the claimed second display unit that is disposed separately from the first display unit on a different place on the capturing apparatus than the first display unit as set forth in claim 52.

In addition, Applicant submits that Anderson also does not disclose or suggest that the first displayed information be changed in accordance with an operation mode of the capturing apparatus as set forth in claim 52.

Further, Applicants submit that Anderson does not teach or suggest that a part of the first displayed information is incorporated into the second display unit as set forth in claim 52.

Accordingly, Applicants submit that claim 52 is patentable over the teachings of Anderson for at least the reasons given above.

Applicants submit that claims 53, 55, 56 and 65 are patentable at least by virtue of their dependency.

III. Claim Rejections - 35 USC § 103

The Examiner has rejected claims 1-5, 7 and 66 under 35 U.S.C. § 103(a) as being unpatentable over Hirose *et al.* (US 4,987,279) [“Hirose”] in view of Swayze (US 6,519,003) [“Swayze”]. For at least the following reasons, Applicants traverse the rejection.

Claim 1 recites an input unit that comprises “a display part [that] displays information related to an operation state of an apparatus used together with [an] input unit, said display part further displaying plural pieces of information indicating a function of each switch in an area provided in the vicinity of each switch.”

Applicants submit that the feature recited above has patentable advantages in that the input unit in the present invention is capable of being assigned the function of each switch according to an operation state of the apparatus.

In contrast, Hirose and Swayze (taken alone or in combination) do not teach or suggest such a feature. Swayze merely discloses a camera having a plurality of switches, but does not disclose displaying information indicating the function of a switch on the display. Accordingly, Applicant submits that one person skilled in the art would not have conceived the claimed displayed part as set forth in claim 1 based on the teachings of Hirose and Swayze.

Applicants submit that claims 2-5, 7 and 66 are patentable at least by virtue of their dependency.

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of Hirose. For at least the following reason, Applicants traverse the rejection.

Because claim 9 recites features similar to those given above with respect to claim 1, Applicants submit that claim 9 is patentable for at least reasons similar to those given above with respect to claim 1.

The Examiner has rejected claim 51 under 35 U.S.C. § 103(a) as being unpatentable over Ohishi in view of Hirose. For at least the following reason, Applicants traverse the rejection.

Because Hirose does not cure the deficient teachings of Ohishi given above with respect to claim 41, Applicants submit that claim 51 is patentable at least by virtue of its dependency.

IV. New Claims

With this amendment, Applicants add claims 67-70, Applicants submit that these claims are patentable at least by virtue of their respective dependencies, as well as the features set forth therein.

V. Rejoinder of Claims

Because claim 8 depends on claim 1, claims 43-47 and 49 depend on claim 41 and claims 54 and 57-62 depend on claim 52, Applicants request that these claims be rejoined based on their dependency to their respective base claims.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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